



ZONING ADMINISTRATOR NOTICE OF DECISION

Date: June 25, 2014
Applicant: SIATech Inc. Vocational School
Case No.: PCC-14-012
Address: 1111 Bay Boulevard, Suites A, B, and C
Project Planner: Miguel Z. Tapia

Notice is hereby given that on June 25, 2014 the Zoning Administrator considered Conditional Use Permit (CUP) application PCC-14-012 by SIATech Inc. ("Applicant") for a Vocational School. The Applicant requests a CUP to establish a Vocational School in an existing building ("Project") located at 1111 Bay Boulevard, Suites A, B and C ("Project Site") and is owned by Inland Industries Group, LP ("Property Owner"). The Project Site is zoned General Industrial (IG) and designated General Industrial (IG) by the General Plan. The Project is more specifically described as follows:

The project consists of the establishment of an educational facility that will provide education services designed to help students return to school to obtain a fully-accredited high school diploma, coordinated with vocational and technological training through the federal Workforce Investment Act of 1998. The Applicant proposes to occupy approximately 5,955 sq. ft. of building space at 1111 Bay Boulevard. As described in the CUP revised application dated May 20, 2104, the school program will be composed of 8 instructors and a maximum of 50 students per day, who would be at the facility during the normal working hours of 7:30 a.m. to 6:00 p.m., Monday thru Friday. The educational program is proposed to work on a tutorial-basis rather than a lecture-based arrangement. The students learn on an individualized schedule throughout the year. Education is computer based, with each student learning independently and in conjunction with assistance from instructors through scheduled appointments. The applicant proposes to occupy the building space in the present configuration and layout condition, and no tenant improvements are proposed or required.

The Project is located within the Bayfront Specific Plan area in the General Industrial zone, and within the Coastal Zone. Pursuant to CVMC Section 19.83.006(A)(3), the Project is not considered a new development because it will occupy and operate in an existing building located on a fully developed and improved site. Furthermore, the operation of the project does not constitute an increase in land use intensity. Therefore, a Coastal Development Permit is not required. Pursuant to CVMC 19.84.003(B)(3)(f), the Project is classified under Educational Services Commercial activities, which includes vocational schools, and therefore, permitted subject to approval of a conditional use permit by the Zoning Administrator.

The Project has been reviewed for compliance with the California Environmental Quality Act (CEQA) and it has been determined that the Project qualifies for a Class 1 categorical exemption pursuant to Section 15301 (Existing facilities) of the State CEQA Guidelines. Thus no further environmental review is necessary.

The Zoning Administrator, under the provisions of Sections 19.14.030, 19.83.006 and 19.84.003 of the Chula Vista Municipal Code, has conditionally approved said request based upon the following findings of facts as required by CVMC Section 19.14.080:

1. *That the proposed use at this location is necessary or desirable and will contribute to the general well being of the neighborhood or the community.*

The proposed SIATech Vocational School is a desirable use at 1111 Bay Boulevard because it serves to provide continuous educational services for the community. SIATech provides professional development and education services designed to help high school dropouts return to school to obtain a fully-accredited diploma with vocational and technology training through the federal Workforce Investment Act of 1998. The students earn a diploma with job force preparation in partnership with the California Job Corps. The use is within the context of a variety of commercial and light industrial uses, as well as in proximity to other educational centers, including two private universities. Therefore, the use would not adversely affect the general well being of the neighborhood or the community.

2. *That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.*

The use will be subject to meeting all health, safety and general welfare standards and regulations set forth by the City of Chula Vista. The proposed use consists of the establishment of a vocational school on a fully developed site in a building, previously approved, that has already been evaluated for noise, traffic, etc., for future tenants. The proposed use will occupy the proposed space as is, and it will not involve any tenant improvements for occupancy. The proposed use was reviewed and evaluated by the City's Building Division and Fire Department, and has been found to meet building and fire codes. There are sufficient parking spaces designated for the subject use.

3. *That the proposed use will comply with the regulations and conditions specified in the code for such use.*

The approval of this conditional use permit is contingent on the Applicant and Property Owner's commitment to satisfy all conditions of approval and to comply with all applicable regulations and standards specified in the Municipal Code. The Applicant has committed to implement and satisfy all conditions of approval for the proposed use, and will comply with all applicable City zoning regulations. The conditions of this permit are approximately in proportion to the nature and extent of the impact created by the use in that the conditions imposed are directly related to and of a nature and scope related to the size and impact of the use.

4. *That the granting of this Conditional Use Permit will not adversely affect the General Plan of the City or the adopted plan of any government agency.*

The General Plan land use designation is General Industrial (IG). The Project is located within the Bayfront Specific Plan area in the General Industrial, and within the Coastal Zone. Pursuant

to CVMC Section 19.83.006(A)(3), the Project is not considered a new development because the subject vocational will be established and operate in an existing building with all the improvements. Therefore, a Coastal Development Permit is not required. Pursuant to CVMC 19.84.003(B)(3)(f), the Project is classified under Educational Services Commercial activities, which includes colleges and universities with a conditional use permit.

BASED ON THE FINDINGS ABOVE, THE ZONING ADMINISTRATOR hereby approves Conditional Use Permit PCC-14-012, as described above subject to the following conditions of approval:

I. Prior to the approval by the City of Chula Vista for the use of the subject property in reliance upon this approval, the Applicant shall satisfy the following requirement:

1. The Project Site shall be developed and maintained in accordance with the approved PCC-14-012 plans, which include the site plan and floor plan as revised and submitted May 20, 2014, subject to the following conditions contained herein, and the Zoning Ordinance (Title 19).
2. The Property Owner and Applicant/Representative shall execute this document by making a true copy and signing both this original Notice of Decision and the copy on the lines provided below, said execution indicating that the Property Owner/Applicant/Representative have each read, understood and agreed to the conditions contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document within 30 Days of the effective date herein shall indicate the Property Owner/Applicant/Representative's desire that the project, and corresponding application for permits and/or business license, be held in abeyance without approval.

Signature of Applicant/Authorized Representative

Date

Signature of Property Owner/representative

Date

Planning Division Conditions:

3. The Applicant shall apply for and obtain a sign permit for any proposed signs located on the site. Said signs shall comply with CVMC Chapter 19.60, Sign Code.
4. Prior to occupancy, Applicant shall provide written evidence from the property owner that documents that the property owner has approved/designated the use of 25 parking spaces for the project.

5. Prior to occupancy, Applicant shall revise and resubmit the parking table on the Site Plan to show that the required parking ratio is one space for every 3 students and 1 space for each administrator and instructor. The total number of parking spaces required for the subject use shall be 25.
6. Upon certification by the Development Services Department for occupancy or establishment of the use allowed by this Conditional Use Permit, the proposed project shall be operated as described in the revised Project Description submitted on May 20, 2014. Substantial modifications in any of the operational parameters shall require a modification of this conditional use permit and might require the issuance of a building permit.
7. The school shall operate between the hours of 7:30 am - 6 pm Monday through Friday.
8. All instruction shall be conducted indoors.
9. Based on the revised project description, the maximum number of instructors and administrators to be in the facility at one time shall be 8 and the maximum number students shall be 50.
10. The Project shall operate in compliance with the Performance Standards, CVMC Chapters 19.66 and Performance Standards and Noise Control, Chapter 19.68.

Public Works Department Conditions:

11. Within 30 days from the date of occupancy of the facilities by the project, Applicant shall provide construction plans for an upgraded bus stop located at Palomar and Bay Boulevard to include the following:
 - The applicant shall add a concrete pad to the existing bus stop location;
 - The pad shall be 10' wide (including existing sidewalk) adjacent to the exiting sidewalk;
 - The length of the pad shall be 15'; and
 - A retaining wall shall be built around the concrete pad to prevent the slope encroaching on the pad. As not to delay the applicants move-in schedule

II. The following on-going conditions shall apply to the subject property as long as it relies upon this approval.

12. No outside activities shall take place on the property unless a special event permit is approved by the Planning Division.
13. Approval of this request shall not waive compliance with all sections of Title 19 of the Municipal Code, and all other applicable City Ordinances in effect at the time of building permit issuance or the approval of this conditional use permit.

14. The Applicant shall execute this Conditional Use Permit for the Project as described and approved in this document. Any new or change in use or modification/expansion of uses shall be subject to the review and approval of the Zoning Administrator.
15. The Applicant shall and does hereby agree to indemnify, protect, defend and hold harmless City, its Council members, officers, employees, agents and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorneys' fees (collectively, "liabilities") incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this conditional use permit, (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated herein. Applicant shall acknowledge their agreement to this provision by executing a copy of this conditional use permit where indicated, above. Applicant's compliance with this provision is an express condition of this conditional use permit and this provision shall be binding on any and all of Applicant's successors and assigns.
16. The Applicant/Representative and Property Owner's compliance with this provision is an express condition of this Conditional Use Permit and shall be binding on any and all of Applicant/Operator's successors and assigns
17. Any violations of the terms and conditions of this permit may result in the imposition of civil or criminal penalties and/or the revocation or modification of this permit
18. If any of the foregoing conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted, deny, or further condition issuance of all future building permits, deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted, institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation. Applicant or a successor in interest gains no vested rights by the City's approval of this Conditional Use Permit.

**APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA,
CALIFORNIA, this 25th day of June 2014.**



Mary Ladiana
Zoning Administrator